

**PATENT**  
**Attorney Docket No.: 678-1123 (P10535)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>APPLICANTS:</b>	<b>MOON, Jeong-Kyu</b>	<b>GROUP ART UNIT: 2617</b>
<b>SERIAL NO.:</b>	<b>10/646,153</b>	<b>EXAMINER: DESIR, Pierre Louis</b>
<b>FILED:</b>	<b>August 21, 2003</b>	<b>DATED: July 31, 2008</b>
<b>FOR:</b>	<b>METHOD FOR PERFORMING A ONE-TOUCH CALL OPERATION USING A WIRELESS MOBILE TERMINAL</b>	

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313,1450

**Attention:** Refund Section, Accounting Division, Office of Finance

**REQUEST FOR REFUND**

Sir:

**I. REFUND REQUEST**

This is a request for a refund with respect to an overpayment for a Notice of Appeal filed on July 30, 2008, respectively.

**II. FEES CHARGED FOR WHICH REFUND REQUESTED**

	<u>AMOUNT OF REFUND REQUESTED</u>
<input type="checkbox"/> filing fee	
<input type="checkbox"/> surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. §1.16(e)	
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. §1.16(e)	
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	
<input type="checkbox"/> second month	
<input type="checkbox"/> third month	
<input type="checkbox"/> fourth month	
<input type="checkbox"/> excess claims	
<input type="checkbox"/> issue fee	
<input type="checkbox"/> petition fee	
<input type="checkbox"/> patent maintenance fee	
<input type="checkbox"/> first maintenance fee	
<input type="checkbox"/> second maintenance fee	
<input type="checkbox"/> third maintenance fee	
<input type="checkbox"/> patent maintenance fee surcharge	
<input checked="" type="checkbox"/> other <u>Notice Of Appeal Fee</u>	<u>\$510.00</u>
<b>TOTAL REFUND REQUESTED</b>	<b><u>\$ 510.00</u></b>

### **III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

On September 17, 2007, a Notice of Appeal (Notice of Appeal 1) was filed for the above-identified application, including a filing fee of \$500.00. A copy of the check with return receipt postcard is enclosed herewith.

Thereafter, on November 15, 2007, an Appeal Brief (Appeal Brief 1) was filed including a filing fee of \$510.00, as evidenced by Electronic Acknowledgement Receipt; EFS ID: 2473912.

As a result of Appeal Brief 1, prosecution was reopened in an Office Action dated April 30, 2008.

In response to the Office Action, a Notice of Appeal (Notice of Appeal 2) was filed on July 30, 2008, including a filing fee of \$510.00, as evidenced by Electronic Acknowledgement Receipt; EFS ID: 3703291.

According to MPEP § 1207.04, in response to the Office Action in which prosecution was reopened, Appellant may initiate a new appeal by filing a notice of appeal under 37 CFR 41.31, followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee can be applied to the new appeal. If, however, the appeal fee set forth in 37 CFR 41.20 have been increased since the Notice of Appeal fee was previously paid.

Accordingly, it is respectfully submitted that Appellant is entitled to a refund of \$510.00, reflecting the one overpayment of \$510 for the Notice of Appeal.

**IV. MANNER OF REFUND**

Please make refund by

X crediting Deposit Account No. 50-4053.

— refunding payment.

Respectfully requested,



Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant(s)

Dated: July 31, 2008

THE FARRELL LAW FIRM  
333 Earle Ovington Blvd., Suite 701  
Uniondale, New York 11553  
(516) 228-3565 (tel)  
(516) 228-8475 (fax)

PJF/dr

All Under Certificate of Mailing  
Applicant: Jeong-Kyu MOON  
For: METHOD FOR PERFORMING A ONE-TOUCH CALL  
OPERATION USING A WIRELESS MOBILE TERMINAL  
Filed: August 21, 2003  
Serial No.: 10/646,153  
Docket: 678-1123 (P10535)  
Date Sent: September 17, 2007  
MJM/CEA/fl

PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Notice of Appeal (in duplicate)
2. Petition for Extension of Time (in duplicate)
3. Checks for \$500.00 & \$120.00
4. Return Postcard

All Under Certificate of Mailing

Applicant: Jeong-Kyu MOON  
For: METHOD FOR PERFORMING A ONE-TOUCH CALL  
OPERATION USING A WIRELESS MOBILE TERMINAL

Filed: August 21, 2003  
Serial No.: 10/646,153  
Docket: 678-1123 (P10535)  
Date Sent: September 17, 2007  
MJM/CEA/fl



3457

THE FARRELL LAW FIRM P.C.  
333 EARLE OVINGTON BLVD, SUITE 701  
UNIONDALE, NY 11553

DATE 9/17/07 1-1357/260

PAY TO THE ORDER OF Commercial of Patents \$ 500.00  
For hundred & no/100 DOLLARS

Signature  
FOR 678-1123

10/646,153  
678-1123 (P10535)  
SEP 17 2007  
UNIONDALE, NY 11553

Handwritten signature

## Electronic Acknowledgement Receipt

EFS ID:	2473912
Application Number:	10646153
International Application Number:	
Confirmation Number:	8920
Title of Invention:	Method for performing a one-touch call operation using a wireless mobile terminal
First Named Inventor/Applicant Name:	Jeong-Kyu Moon
Customer Number:	66547
Filer:	Paul J. Farrell/Danielle Ryan
Filer Authorized By:	Paul J. Farrell
Attorney Docket Number:	678-1123 (P10535)
Receipt Date:	15-NOV-2007
Filing Date:	21-AUG-2003
Time Stamp:	16:42:12
Application Type:	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 510
RAM confirmation Number	2039
Deposit Account	
Authorized User	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
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1		Appeal_brief.pdf	388762 a225b7d4b027bde9e0c5e03618d5c22dc 45e07be2	yes	12
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Miscellaneous Incoming Letter		1	1	
	Appeal Brief Filed		2	12	
Warnings:					
Information:					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8188 229aa38128d0b618110ac52e02e4314 77000447e	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			396950		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	3703291
<b>Application Number:</b>	10646153
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	8920
<b>Title of Invention:</b>	Method for performing a one-touch call operation using a wireless mobile terminal
<b>First Named Inventor/Applicant Name:</b>	Jeong-Kyu Moon
<b>Customer Number:</b>	66547
<b>Filer:</b>	Paul J. Farrell/Danielle Simoneaux
<b>Filer Authorized By:</b>	Paul J. Farrell
<b>Attorney Docket Number:</b>	678-1123 (P10535)
<b>Receipt Date:</b>	30-JUL-2008
<b>Filing Date:</b>	21-AUG-2003
<b>Time Stamp:</b>	16:32:27
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

<b>Submitted with Payment</b>	yes
<b>Payment Type</b>	Credit Card
<b>Payment was successfully received in RAM</b>	\$ 510
<b>RAM confirmation Number</b>	1896
<b>Deposit Account</b>	
<b>Authorized User</b>	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (If appl.)
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1	Notice of Appeal Filed	Notice_of_Appeal.pdf	43084 c500d045e000b68b07e069e904358a0c 5e1ed9cc	no	1
<b>Warnings:</b>					
<b>Information:</b>					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8181 c72468838b199a265419e665e70eb0ee 8715a3e5	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			<b>51245</b>		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>          If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>          If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>          If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					